



COPYRIGHT ROYALTY TRIBUNAL
UNITED STATES OF AMERICA

1111 20th Street, N.W.
Washington, D.C. 20036
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COMMISSIONERS:
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Clarence L. James, Jr.
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May 29, 1980

Harris E. Tulchin, Esq.
Attorney for American Society
of Music Arrangers
1517 Yale Street
Santa Monica, Ca. 90404

Dear Mr. Tulchin:

This is to acknowledge receipt by the Copyright Royalty Tribunal of your letter of May 21, 1980 on behalf of the American Society of Music Arrangers (ASMA).

The statements contained in the first paragraph of the letter to the effect that the Tribunal has determined that the ASMA "does not have a significant interest in the copyright royalty rates provided for in 17 USC §115" and that the ASMA "may not participate in the corresponding Royalty Rate Adjustment Proceedings commenced on January 1, 1980" are erroneous. Subject to the general rules established for the conduct of the mechanical royalty proceeding, any person or association with an interest in the statutory subject matter of the proceeding may appear and give testimony or file a statement for incorporation in the record. If the ASMA desires to participate in the proceeding to give evidence relevant to the determination of the mechanical royalty rate, the Tribunal will at an appropriate time hear such testimony.

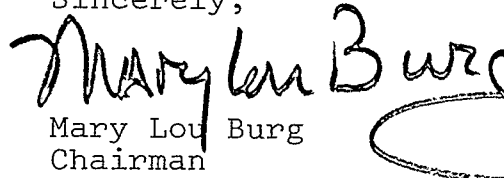
The Tribunal's letter of April 7, 1980 discussed only the request of Mr. Eddy L. Manson that "a separate mechanical royalty be paid to the arranger of each phono record sold bearing the arranger's work." As stated in the Tribunal's letter, such a proposal is beyond the jurisdiction of the Tribunal and consequently the Tribunal cannot receive evidence on that subject.

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37 CFR § 301.64 has no relevance to the current mechanical royalty proceeding. That and related sections concern the commencement of certain royalty proceedings subsequent to those mandated for 1980 by the provisions of the Copyright Act.

At the conclusion of the mechanical royalty proceeding, the Tribunal will, in accordance with Chapter 8 of the Copyright Act, publish its final determination in the proceeding stating in detail the criteria, facts, and conclusions reached by the Tribunal. This publication will include our jurisdictional determination in the matter raised by ASMA. In accordance with the Copyright Act, any aggrieved party may appeal the determination of the Tribunal. If any such appeal is successful, the court will presumably direct such relief as it deems appropriate.

Sincerely,


Mary Lou Burg
Chairman

MLB/nl